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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Christine Chang, individually and as Guardian)
ad litem for Eric Sun, disabled,

Plaintiff,

vs.

Rockridge Manor Condominium, et al.,

Defendants.

Case No.: C 07 4005 EMC

**Declaration of Andrew R. Adler in
Support of Request for Judicial Notice in
Support of Motion to Dismiss and For a
More Definite Statement (FRCP 12(b)(6)
and 12(e))**

Date:

Time:

Courtroom: C

Magistrate Judge: Edward M. Chen

Complaint Filed: August 3, 2007

The undersigned, Andrew R. Adler, declares:

1. That I am a duly-admitted member of the California State Bar and the Bar of the United States District Court for the Northern District of California, and a shareholder in Boornazian, Jensen & Garthe, a Professional Corporation. In those capacities I am appearing as counsel for defendant Pamela Zimba in the instant action, and am familiar with the pleadings and proceedings therein.

2. If called as a witness in the instant action I could competently testify to the facts stated in this declaration from first-hand, personal knowledge.

3. The document attached hereto as Exhibit 1 is a certified copy of the Alameda County Superior Court's minutes of August 5, 2004 with respect to its action #2002-046048, *Chang v. Celaya*, one of the two Alameda County Superior Court actions referred to in plaintiff's Complaint in the instant action.

1 4. The document attached hereto as Exhibit 2 is a certified copy of the Alameda
2 County Superior Court's Judgment in *Chang v. Celaya*.

3 5. The document attached hereto as Exhibit 3 is a true and correct copy of plaintiff
4 Christine Chang's June 4, 2005 letter to the Office of the Chief Counsel/Intake of the State Bar of
5 California, as submitted to this Court by Ms. Chang on October 31, 2007 as Exhibit 3.1 to her
6 Plaintiffs' Opposition to Defendants The University of California Berkeley Motion to Dismiss in
7 the instant action.

8 6. The document attached hereto as Exhibit 4 is a certified copy of Ms. Chang's
9 Request for Dismissal (with prejudice) of Alameda County Superior Court action #2001-023364,
10 *Chang v. Ammann*, the second of the two Alameda County Superior Court actions to which
11 plaintiff refers, as filed April 5, 2005.

12 7. This declaration was executed under penalty of perjury under the laws of the State
13 of California and the United States of America at Oakland, California this 5th day of November,
14 2007.

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16 _____
17 Andrew R. Adler
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